



# ***CLERK'S BOARD SUMMARY***

## **REPORT OF ACTIONS OF THE FAIRFAX COUNTY BOARD OF SUPERVISORS**

**MONDAY  
January 7, 2008**

*This does not represent a verbatim transcript of the Board Meeting and is subject to minor change. For the most up-to-date version, check the website <http://www.fairfaxcounty.gov/bosclerk/main.htm>. This document will be made available in an alternative format upon request. Please call 703-324-3151 (VOICE), 703-324-3903 (TTY).*

---

**01-08**

---

**DET:det**

At a regular meeting of the Board of Supervisors of Fairfax County, Virginia, held in the Board Auditorium of the Government Center at Fairfax, Virginia, on Monday, January 7, 2008, at 9:05 a.m., there were present:

- Chairman Gerald E. Connolly, presiding
- Supervisor Sharon Bulova, Braddock District
- Supervisor John W. Foust, Dranesville District
- Supervisor Penelope A. Gross, Mason District
- Supervisor Patrick S. Herrity, Springfield District
- Supervisor Catherine M. Hudgins, Hunter Mill District
- Supervisor Gerald W. Hyland, Mount Vernon District
- Supervisor Jeffrey C. McKay, Lee District
- Supervisor Linda Q. Smyth, Providence District

Supervisor Michael Frey, Sully District, arrived at 9:06 a.m.

Others present during the meeting were Anthony H. Griffin, County Executive; David P. Bobzien, County Attorney; Jan L. Brodie, Deputy County Attorney; Catherine A. Chianese, Assistant County Executive; Regina Stewart, Administrative Assistant, Office of the County Executive; Nancy Vehrs, Clerk to the Board of Supervisors; Patti M. Hicks, Chief Deputy Clerk to the Board of Supervisors; and Denise Scott, Deputy Clerk to the Board of Supervisors.

**BOARD MATTER**1. **MOMENT OF SILENCE** (9:06 a.m.)

Supervisor Hudgins asked everyone to keep in thoughts the family of the late Ms. Eve Wilson. Ms. Wilson had been an active member of the County Democratic Committee and Boards and Authorities in the County and State.

**AGENDA ITEMS**2. **CERTIFICATE OF RECOGNITION PRESENTED TO THE BRADDOCK DISTRICT COUNCIL OF COMMUNITY ASSOCIATIONS, THE SHERIFF'S OFFICE, AND DELEGATE DAVID BULOVA (BRADDOCK DISTRICT)** (9:07 a.m.)

Supervisor Bulova moved approval of the Certificates of Recognition presented to the Braddock District Council of Community Associations, the Sheriff's Office, and Delegate David Bulova, as part of the Braddock Road Maintenance Partnership, for their efforts to improve the appearance and maintenance of Braddock Road. Chairman Connolly seconded the motion and it carried by unanimous vote.

Supervisor Hudgins asked unanimous consent that the Board direct the County Executive to inquire of Virginia Secretary of Transportation Homer's actions to ensure that the County can better address the issue by extending opportunities for contracts with associations. Without objection, it was so ordered.

Discussion ensued, with input from Anthony H. Griffin, County Executive, concerning his intent to meet with the administrator for the Northern Virginia District to clarify how the Virginia Department of Transportation (VDOT) will use its responsibility and ensure that it is aware of cost-effective alternatives for achieving improvement.

3. **CERTIFICATE OF RECOGNITION PRESENTED TO MR. JAMES MARTIN** (9:17 a.m.)

Chairman Connolly relinquished the Chair to Vice-Chairman Bulova and moved approval of the Certificate of Recognition presented to Mr. James Martin for 25 consecutive accident-free years of heavy equipment operation and 1.65 million miles with an unblemished driving record for the Fairfax County I-66 Transfer Station. Supervisor Hyland seconded the motion and it carried by unanimous vote.

Vice-Chairman Bulova returned the gavel to Chairman Connolly.

4. **RESOLUTION OF RECOGNITION PRESENTED TO THE BURKE CENTRE CONSERVANCY (BRADDOCK DISTRICT)** (9:19 a.m.)

Supervisor Bulova moved approval of the Resolution of Recognition presented to the Burke Centre Conservancy for hosting the first annual Doggie Dip in conjunction with its thirtieth anniversary. The event not only educated the community on important pet-related issues, but raised money for the purchase of canine bulletproof vests for the West Springfield K-9 Unit which serves Burke Centre. Chairman Connolly seconded the motion and it carried by unanimous vote.

Supervisor Frey noted the absence of any four-legged members of the Conservancy and reminded staff of the Board's request for information about the status of vests for the K-9 Unit.

Chairman Connolly relinquished the Chair to Vice-Chairman Bulova and asked unanimous consent that the Board direct Catherine A. Chianese, Assistant County Executive, to convey to the County Executive that the requested material be provided to the Board in a timely manner so that it could be considered in the context of the budget this year. Without objection, it was so ordered.

Vice-Chairman Bulova returned the gavel to Chairman Connolly.

5. **PROCLAMATION DESIGNATING JANUARY 2008 AS "MENTORING MONTH" IN FAIRFAX COUNTY** (9:26 a.m.)

Supervisor Hyland moved approval of the Proclamation to designate January 2008 as "*Mentoring Month*" in Fairfax County. Supervisor Bulova seconded the motion and it carried by unanimous vote.

Bookmarks commemorating the occasion were distributed to the Board.

6. **ORDERS OF THE DAY** (9:32 a.m.)

Chairman Connolly announced that since the Westfield High School Football Team had not yet arrived, the Board would proceed with other morning business.

7. **10 A.M. – BOARD ORGANIZATION AND APPOINTMENTS OF BOARD MEMBERS TO VARIOUS REGIONAL AND INTERNAL BOARDS AND COMMITTEES** (9:32 a.m.)

Chairman Connolly announced that he had circulated the appointments of Board Members to various regional agencies, committees, and subcommittees, as well as the organization of the Board itself. He stated that these appointments have been discussed with Board Members and noted that committees are encouraged to meet on non-Board Mondays to ensure that Board Members are in the habit of setting aside those Mondays for Board business at the Government Center.

Chairman Connolly relinquished the Chair to Vice-Chairman Bulova and moved the adoption of the following appointments. Supervisor Gross seconded the motion, and it carried by unanimous vote.

**AGENCIES, COMMITTEES, AND SUBCOMMITTEES FOR CALENDAR YEAR 2007**

**INTERJURISDICTIONAL COMMITTEES**

**ALEXANDRIA**

Gerald Hyland – Chairman  
Penelope Gross  
Jeff McKay  
Gerald Connolly

**ARLINGTON**

Penelope Gross – Chairman  
Linda Smyth  
John Foust  
Gerald Connolly

**DISTRICT OF COLUMBIA**

Gerald Connolly – Chairman  
Gerald Hyland  
Jeff McKay  
Linda Smyth

**FAIRFAX CITY**

Sharon Bulova – Chairman  
Patrick Herrity  
Linda Smyth  
Gerald Connolly

**FALLS CHURCH**

Penelope Gross – Chairman  
Linda Smyth  
John Foust  
Gerald Connolly

**FORT BELVOIR / BASE REALIGNMENT AND CLOSURE (BRAC) BOARD OF ADVISORS**

Gerald Connolly  
Gerald Hyland  
Patrick Herrity  
Jeff McKay

**HERNDON**

John Foust – Chairman  
Catherine Hudgins  
Gerald Connolly

**LOUDOUN COUNTY**

Michael Frey – Chairman  
Catherine Hudgins  
John Foust  
Gerald Connolly

**PRINCE WILLIAM**

(includes UOSA, City of Manassas, and City of Manassas Park)  
Michael Frey – Chairman  
Gerald Hyland  
Patrick Herrity  
Gerald Connolly

**INTERGOVERNMENTAL BOARDS AND COMMITTEES**

(includes Federal and State)

**COMMUNITY CRIMINAL JUSTICE BOARD**

Catherine Hudgins

**METROPOLITAN WASHINGTON COUNCIL OF GOVERNMENTS (COG)**

**COG BOARD OF DIRECTORS**

Penelope Gross – Principal  
Gerald Connolly – Principal  
John Foust – Principal  
Sharon Bulova – Alternate  
Michael Frey – Alternate  
Patrick Herrity – Alternate

**COG METROPOLITAN WASHINGTON AIR QUALITY COMMITTEE**

Patrick Herrity – Principal  
Linda Smyth – Principal  
Sharon Bulova – Principal  
Gerald Hyland – Alternate (for any member)

**COG AIRPORT NOISE ABATEMENT**

John Foust – Principal  
Gerald Hyland – Principal  
Michael Frey – Alternate (for either member)

**COG CHESAPEAKE BAY POLICY COMMITTEE**

Penelope Gross – Principal

Gerald Hyland – Principal

**COG HUMAN SERVICES COMMITTEE**

Catherine Hudgins – Principal

**COG PUBLIC SAFETY POLICY COMMITTEE**

Penelope Gross – Principal

**COG METROPOLITAN DEVELOPMENT POLICY COMMITTEE**

Michael Frey – Principal

Sharon Bulova – Principal

Patrick Herrity – Principal

**COG TASK FORCE ON REGIONAL WATER SUPPLY ISSUES**

Penelope Gross

**COG TRANSPORTATION PLANNING BOARD**

Linda Smyth – Principal

Catherine Hudgins – Principal

Gerald Connolly – Alternate

Patrick Herrity – Alternate

**COG CLIMATE CHANGE STEERING COMMITTEE**

Gerald Connolly – Principal

John Foust – Alternate

**CLEAN AIR PARTNERS**

Linda Smyth

**FAIRFAX PARTNERSHIP FOR YOUTH, INCORPORATED**

Gerald Connolly

John Foust

**INOVA HEALTH SYSTEMS BOARD**

Penelope Gross

**INOVA HEALTH CARE SERVICES BOARD**

Michael Frey

Gerald Hyland

**LIAISON WITH CENTRAL FAIRFAX CHAMBER OF COMMERCE**

Sharon Bulova  
Gerald Connolly

**NORTHERN VIRGINIA REGIONAL COMMISSION (NVRC)**

Sharon Bulova  
Gerald Connolly  
Penelope Gross  
Catherine Hudgins  
Patrick Herrity  
John Foust  
Linda Smyth

**NORTHERN VIRGINIA TRANSPORTATION AUTHORITY**

Gerald Connolly

**NORTHERN VIRGINIA TRANSPORTATION COMMISSION (NVTC)**

(including WMATA and VRE Representatives)  
Sharon Bulova – Principal (VRE Operation)  
Gerald Connolly  
Catherine Hudgins – Principal (WMATA)  
Jeff McKay – Alternate (WMATA) and Alternate (VRE Operation)  
Patrick Herrity – Principal (VRE Operation)

**POTOMAC WATERSHED ROUNDTABLE**

Penelope Gross

**ROUTE 28 HIGHWAY TRANSPORTATION IMPROVEMENT DISTRICT COMMISSION**

Gerald Connolly  
Michael Frey  
Catherine Hudgins  
John Foust

**DULLES RAIL PHASE 1 TAX IMPROVEMENT DISTRICT COMMISSION**

Gerald Connolly – Chairman  
John Foust  
Catherine Hudgins  
Linda Smyth

**WASHINGTON METROPOLITAN AREA TRANSIT AUTHORITY  
(WMATA)**

(Appointed by NVTC, and the Board of Supervisors makes recommendations for consideration.)

Catherine Hudgins – Principal

Jeff McKay – Alternate

**VACo BOARD OF DIRECTORS (REGIONAL DIRECTORS)**

Penelope Gross

Catherine Hudgins

Gerald Hyland

Linda Smyth

**INTRAGOVERNMENTAL AND OTHER COMMITTEES**

**AUDIT COMMITTEE**

Gerald Connolly – Chairman

Sharon Bulova

Patrick Herrity

John Foust

**BOARD PROCEDURES COMMITTEE**

Penny Gross – Chairman

Michael Frey – Co-Chairman

**BUDGET POLICY COMMITTEE**

(Committee of the Whole)

Sharon Bulova – Chairman

**COMMUNITY REVITALIZATION AND REINVESTMENT  
COMMITTEE**

(Committee of the Whole)

Gerald Hyland – Co-Chairman

Jeff McKay – Co-Chairman

**COMMITTEE ON AGING**

(Committee of the Whole)

Patrick Herrity – Chairman

**DEVELOPMENT PROCESS COMMITTEE**

(Committee of the Whole)

Michael Frey – Chairman

Penelope Gross – Vice-Chairman

**ECONOMIC ADVISORY COMMITTEE**

John Foust – Chairman  
Patrick Herrity – Vice-Chairman  
Gerald Connolly  
Catherine Hudgins

**ENVIRONMENTAL COMMITTEE**

(Committee of the Whole)  
Penny Gross – Chairman  
Sharon Bulova – Vice-Chairman

**FIRE COMMISSION**

Gerald Hyland

**HOUSING AND COMMUNITY DEVELOPMENT COMMITTEE**

(Committee of the Whole)  
Catherine Hudgins – Chairman  
John Foust – Vice-Chairman

**HUMAN SERVICES COMMITTEE**

(Committee of the Whole)  
Catherine Hudgins – Chairman  
Penelope Gross – Vice-Chairman

**INFORMATION TECHNOLOGY COMMITTEE**

(Committee of the Whole)  
Linda Smyth – Chairman  
Catherine Hudgins – Vice-Chairman

**LEGISLATIVE COMMITTEE**

(Committee of the Whole)  
Gerald Connolly – Chairman

**PERSONNEL AND REORGANIZATION COMMITTEE**

(Committee of the Whole)  
Penelope Gross – Chairman  
Linda Smyth – Vice-Chairman

**TRANSPORTATION COMMITTEE**

(Committee of the Whole)  
Jeff McKay – Chairman  
Catherine Hudgins – Vice-Chairman  
John Foust – Vice-Chairman

8. **APPOINTMENT OF BRADDOCK DISTRICT SUPERVISOR SHARON BULOVA AS VICE-CHAIRMAN OF THE BOARD OF SUPERVISORS**

(9:33 a.m.)

Supervisor Gross moved the reappointment of Supervisor Bulova as Vice-Chairman of the Board of Supervisors. Supervisor Hyland seconded the motion and it carried by unanimous vote.

**EBE:ebe**

9. **ADMINISTRATIVE ITEMS** (9:34 a.m.)

Supervisor Gross moved approval of the Administrative Items. Supervisor Hyland seconded the motion.

Supervisor Gross called the Board's attention to Admin 12 – Board of Supervisors' Meeting Schedule for Calendar Year 2008 and discussion ensued regarding the June 16, 2008, Board meeting date.

Chairman Connolly relinquished the Chair to Vice-Chairman Bulova and asked to amend the motion to move the June 16, 2008, Board meeting to June 23, 2008. This was accepted.

Vice-Chairman Bulova returned the gavel to Chairman Connolly.

The question was called on the motion, as amended, and it carried by unanimous vote, Supervisor Bulova, Supervisor Foust, Supervisor Frey, Supervisor Gross, Supervisor Herrity, Supervisor Hudgins, Supervisor Hyland, Supervisor McKay, Supervisor Smyth, and Chairman Connolly voting "AYE."

**ADMIN 1 – AUTHORIZATION TO ADVERTISE PUBLIC HEARINGS ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 112 (ZONING ORDINANCE), REGARDING ADVERTISING ON PUBLIC TRANSIT PASSENGER SHELTERS**

- (A) (R) Adopted the Resolution authorizing the advertisement of a public hearing to be held before the Planning Commission on February 13, 2008, at 8:15 p.m., and before the Board on **March 10, 2008, at 4 p.m.** to consider proposed amendments to the Code of the County of Fairfax, Chapter (112) Zoning Ordinance, to permit advertising on County owned public transit passenger shelters, including bus shelters, located outside of the Virginia Department of Transportation right-of-way.

**ADMIN 2 – AUTHORIZATION TO ADVERTISE PUBLIC HEARINGS ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 112 (ZONING ORDINANCE), REGARDING ROADWAY FUNCTIONAL CLASSIFICATION**

- (A) (R) Adopted the Resolution authorizing the advertisement of a public hearing to be held before the Planning Commission on February 20, 2008, at 8:15 p.m., and before the Board on **March 10, 2008, at 4 p.m.** to consider proposed amendments to the Code of the County of Fairfax, Chapter (112) Zoning Ordinance, regarding roadway functional classification.

**ADMIN 3 – EXTENSION OF REVIEW PERIODS FOR 2232 REVIEW APPLICATIONS ( LEE AND MOUNT VERNON DISTRICTS)**

Authorized extension of the review period for the following Public Facility (2232) Review Applications:

<u>Application Number</u>	<u>Description</u>	<u>New Date</u>
FS-L07-61	Fairfax County Park Authority Revision of Lee District Park master plan 6601 Telegraph Road (Lee District)	June 30, 2008
FS-V07-62	Department of Public Works and Environmental Services Expansion of Martha Washington Library 6614 Fort Hunt Road (Mount Vernon District)	June 30, 2008

**ADMIN 4 – ADDITIONAL TIME TO COMMENCE CONSTRUCTION FOR SPECIAL EXCEPTION AMENDMENT APPLICATION SEA 87-V-106-02, OURISMAN DODGE, INCORPORATED (MOUNT VERNON DISTRICT)**

- (AT) Approved the request for 30 months of additional time to commence construction for Special Exception Amendment Application SEA 87-V-106-02 to March 21, 2010, pursuant to the provisions of Section 9-015 of the Zoning Ordinance.

**ADMIN 5 – APPROVAL OF TRAFFIC CALMING MEASURES, MULTI-WAY STOPS, AND “WATCH FOR CHILDREN” SIGNS AS PART OF THE RESIDENTIAL TRAFFIC ADMINISTRATION PROGRAM (R-TAP) (MASON AND LEE DISTRICTS)**

- (R)
- Endorsed the installation of one speed table and one speed hump on Whispering Lane (Mason District).
  - Approved a multi-way stop at Walters Woods Drive and Lily Dhu Lane (Mason District).

- Adopted the Resolution authorizing the installation of “Watch for Children” signs on Manchester Woods Drive (Lee District).
- Directed staff to request the Virginia Department of Transportation to install the approved measures as soon as possible.

**ADMIN 6 – INSTALLATION OF “NO PARKING” SIGNS ON THE NORTH SIDE OF MAURY PLACE FROM REDDICK AVENUE TO RICHMOND HIGHWAY (MOUNT VERNON DISTRICT)**

- (R)
- Adopted the Resolution restricting parking on the north side of Maury Place from Reddick Avenue to Richmond Highway.
  - Directed staff to install these signs at the earliest possible date.

**ADMIN 7 – AUTHORIZATION TO ADVERTISE A PUBLIC HEARING ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, APPENDIX M, TO ESTABLISH THE POTTERS GLEN COMMUNITY PARKING DISTRICT (CPD) (LEE DISTRICT)**

- (A)
- Authorized the advertisement of a public hearing to be held before the Board on **January 28, 2008, at 4 p.m.** to consider proposed amendments to the Code of the County of Fairfax, Appendix M, establishing the Potters Glen CPD, in accordance with current CPD restrictions. The proposed district expansion would encompass Potters Lane from Old Franconia Road to the cul-de-sac inclusive.

**ADMIN 8 – APPROVAL OF PROPOSED STREET NAME CHANGE FOR A PORTION OF WESLEY TYLER ROAD TO REDBIRD RIDGE (SPRINGFIELD DISTRICT)**

Approved the street name change for a portion of Wesley Tyler Road to Redbird Ridge effective 30 days following Board approval, in accordance with Section 102-1-9 of the Code of the County of Fairfax.

**ADMIN 9 – STREETS INTO THE SECONDARY SYSTEM (MASON AND SULLY DISTRICTS)**

- (R) Approved the request that the following streets be accepted into the State System:

<b><u>Subdivision</u></b>	<b><u>District</u></b>	<b><u>Street</u></b>
Lake Barcroft Cloisters, Section 2	Mason	Tennis Court
The Village at Mount Gilead	Sully	Wharton Lane (Route 1166) (Additional ROW Only)

<u>Subdivision</u>	<u>District</u>	<u>Street</u>
The Village at Mount Gilead	Sully	Mount Gilead Road (Route 670) (Additional ROW Only)

**ADMIN 10 – AUTHORIZATION TO ADVERTISE A PUBLIC HEARING ON AN UNCODIFIED ORDINANCE THAT WILL PROVIDE FOR UP TO A ONE DOLLAR TAXICAB FUEL SURCHARGE UNTIL OCTOBER 31, 2008**

- (A) Authorized the advertisement of a public hearing to be held before the Board on **January 28, 2008, at 4 p.m.** to consider adoption of an uncodified ordinance to provide for a temporary per trip fuel surcharge of up to \$1, effective from February 1, 2008, until October 31, 2008.

**ADMIN 11 – ADOPTION OF A RESOLUTION APPROVING THE ISSUANCE OF REVENUE BONDS FOR THE BENEFIT OF ENNSTONE, INCORPORATED**

- (R) Adopted the Resolution authorizing the Economic Development Authority to issue up to \$10 million in revenue bonds pursuant to the plan of financing of Ennstone, Incorporated.

**ADMIN 12 – BOARD OF SUPERVISORS’ MEETING SCHEDULE FOR CALENDAR YEAR 2008**

(NOTE: Earlier in the meeting, additional action was taken on this item. See page 10.)

Adopted the Boards’ meeting schedule for January through December 2008.

10. **A-1 – APPOINTMENT OF MEMBERS TO THE SOLID WASTE AUTHORITY** (9:36 a.m.)

On motion of Supervisor Gross, seconded by Supervisor Hudgins, and carried by unanimous vote, the Board concurred in the recommendation of staff and appointed Supervisor Foust, Supervisor Herrity, and Supervisor McKay as members of the Solid Waste Authority.

11. **A-2 – ALLOCATION OF CONTRIBUTED ROAD FUNDS FROM THE TYSONS FUND AREA FOR TRANSPORTATION IMPROVEMENTS IDENTIFIED BY THE COMPREHENSIVE PLAN AND THE TYSONS LAND USE TASK FORCE (PROVIDENCE AND HUNTER MILL DISTRICTS)** (9:37 a.m.)

Supervisor Hudgins moved that the Board concur in the recommendation of staff and approve allocation of \$8.1 million from the Fairfax County Contributed

Roadway Funds, Tysons Fund Area, to address transportation improvements identified by the Fairfax County Comprehensive Plan and the Tysons Land Use Task Force. Supervisor McKay seconded the motion.

Following discussion, with input from Anthony H. Griffin, County Executive, regarding the transportation funds, Chairman Connolly announced the deferral of action on this item until later in the meeting.

(NOTE: Later in the meeting, the Board took action regarding this item. See Clerk's Summary Item #24.)

12. **I-1 – CONTRACT AWARD – SPRING HILL RECenter IMPROVEMENTS (DRANESVILLE DISTRICT)** (9:39 a.m.)

The Board next considered an item contained in the Board Agenda dated January 7, 2008, requesting authorization for staff to award a contract to C.V. Carlson Company, Incorporated, in the amount of \$294,000 for Spring Hill RECenter Improvements in Project 475804, Building Renovation and Expansion in Fund 370, Park Authority Bond Construction.

The staff was directed administratively to proceed as proposed.

13. **I-2 – CONTRACT AWARD – ATHLETIC FIELD LIGHTING AND RELATED ELECTRICAL WORK AT FRANCONIA PARK (LEE DISTRICT)** (9:39 a.m.)

The Board next considered an item contained in the Board Agenda dated January 7, 2008, requesting authorization for staff to award a contract to Dalton Electric Service, Incorporated, in the amount of \$117,498 for the Athletic Field Lighting and Related Electrical Work at Franconia Park in Project 474106, Athletic Fields/Synthetic Turf in Fund 370, Park Authority Bond Construction.

The staff was directed administratively to proceed as proposed.

14. **I-3 – CONTRACT AWARD – INTERIM DEVELOPMENT AGREEMENT FOR LEE VILLAGE AT SILVER LAKE (KINGSTOWNE LIBRARY PUBLIC-PRIVATE EDUCATIONAL FACILITIES AND INFRASTRUCTURE ACT OF 2002) (LEE DISTRICT)** (9:39 a.m.)

The Board next considered an item contained in the Board Agenda dated January 7, 2008, requesting authorization for staff to award a contract to Lee Village at Silver Lake, LLC, in the amount of \$480,000 to provide land use planning, design and construction services, permitting, and financing for mixed-use development on the County's Kingstowne Regional Library site.

The staff was directed administratively to proceed as proposed.

NV:nv

**ADDITIONAL BOARD MATTERS**15. **AFRICAN AMERICAN HISTORY MONTH** (9:40 a.m.)

Chairman Connolly noted that February is traditionally celebrated as African American History Month to recognize the history, contributions, concerns, and achievements of African Americans. Each year the Office of Equity Programs sponsors a series of events in conjunction with African American History Month to promote the importance of diversity to all citizens alike.

Accordingly, Chairman Connolly relinquished the Chair to Vice-Chairman Bulova and moved that the Board proclaim February 2008 as "*African American History Month*" in Fairfax County and direct staff to invite the appropriate representatives from the Office of Equity Programs to receive the proclamation at the January 28 Board meeting. Vice-Chairman Bulova seconded the motion, which carried by unanimous vote.

16. **NATIONAL CHILD IMMUNIZATION WEEK** (9:41 a.m.)

Chairman Connolly reminded the Board that each year the Health Department participates in National Child Immunization Month, a national program sponsored by the Center for Disease Control (CDC) to emphasize the importance of immunizing children against twelve vaccine-preventable diseases by the age of two. While the immunization rate in the County continues to hold steady at 84 percent, problems continue with compliance for two-year-olds with the fourth dose of diphtheria, tetanus, and pertussis at the 15-month visit to the physician. Throughout the month, more than 500 communities across the nation will come together in planning community awareness and media events to promote children's immunizations.

Accordingly, Chairman Connolly asked unanimous consent that the Board proclaim April 19-25, 2008, as "*Immunization Week*" in Fairfax County and direct staff to invite the appropriate representatives from the Health Department and their sponsors to receive the proclamation at the March 31 Board meeting. Without objection, it was so ordered.

17. **LEAGUE OF WOMEN VOTERS DAY** (9:42 a.m.)

Chairman Connolly reminded the Board that the League of Women Voters, a nonpartisan political organization, has fought since 1920 to improve the systems of government and impact public policies through citizen education and advocacy. As noted in the written Board Matter, this April the League will celebrate its sixtieth anniversary. Chairman Connolly questioned the actual anniversary years given the 1920 date.

Accordingly, Chairman Connolly moved that the Board proclaim April 15 as “*League of Women Voters Day*” in Fairfax County in conjunction with the anniversary and direct staff to invite the appropriate representatives from the League to be presented with the proclamation at the March 31 Board meeting. Supervisor Hyland seconded the motion, which carried by unanimous vote.

There was a brief inquiry to Merni Fitzgerald, Director, Office of Public Affairs, regarding the presentation schedule for March 31 and January 28, respectively.

(NOTE: Later in the meeting, the Board clarified the anniversary years. See Clerk’s Summary Item #21.)

18. **RECOGNITION OF 2007 BOND REFERENDUM COMMITTEE**  
(9:43 a.m.)

(BACs) Chairman Connolly said that the 2007 election had two bond referendums overwhelmingly approved by voters: a school bond referendum to enable the capital construction of needed new schools and the necessary capital renovation of existing school facilities and a transportation bond to allow the County to construct new roadways, improve existing intersections, provide pedestrian connections and expand transit usage. To help citizens make a rational decision on these issues, the Board had appointed a Bond Referendum Committee designed to inform the public about the 2007 fall bond referendums.

Accordingly, Chairman Connolly asked unanimous consent that the Board direct staff to invite the members of the 2007 Bond Referendum Committee to appear before the Board on January 28 to be recognized for their service to their fellow County residents. Without objection, it was so ordered.

19. **ALTERNATIVE DISPUTE RESOLUTION MONTH** (9:43 a.m.)

Chairman Connolly said that March is traditionally recognized as Alternative Dispute Resolution Month to educate the community about the importance of alternative conflict resolution efforts. Peacefully resolving conflicts by mediation promotes safer communities, schools, and families and saves time and money and creates better outcomes for everyone involved.

Accordingly, Chairman Connolly asked unanimous consent that the Board proclaim March 2008 as “*Alternative Dispute Resolution Month*” in Fairfax County and direct staff to invite the appropriate representatives from the Alternative Dispute Resolution Office to appear before the Board to receive the proclamation at the February 25 Board meeting. Without objection, it was so ordered.

20. **WRITING TRAFFIC CITATIONS PURSUANT TO THE COUNTY CODE**  
(9:44 a.m.)

(BACs)(P) Chairman Connolly asserted that the Audit Committee has done a good job in the last four years by identifying opportunities for savings and for revenue enhancement. He said that in one of the recent Audit Committee meetings, citizen committee member, Sean Coleman, recommended that the auditors review the practice of how County police write traffic tickets to ensure that the County is properly applying the Code of the County of Fairfax.

Chairman Connolly said that each traffic ticket must be written to a specific code, either from the *Code of Virginia* or the Code of the County of Fairfax. In most circumstances, the sections dealing with traffic offenses are identical, with the Code of the County of Fairfax section merely being a local codification of the *Code of Virginia*. While the citation is the same, if the ticket is written pursuant to the County's Code, the County receives the revenue; if the ticket is written pursuant to the identical State Code provision, the State receives the revenue.

Chairman Connolly noted that according to the auditors' review, of the 122,000 tickets written by County police during the first nine and one-half months of 2007, at least a portion of those tickets written pursuant to the *Code of Virginia* could have been written pursuant to the identical Code of the County of Fairfax. This results in revenue going to the State that could otherwise be collected by the County.

Chairman Connolly said that the auditors found that there appear to be some circumstances where there are traffic tickets written citing the State Code while the County currently has an identical code section. Additionally, the auditors found that there appear to be some traffic tickets written to the State Code because the County has not yet adopted changes to the Code of the County of Fairfax to bring it into compliance with the *Code of Virginia*.

Therefore, Chairman Connolly, on behalf of the Audit Committee, moved that the Board direct that "it is and shall be the County Policy that Fairfax ticketing policy is: whenever a particular citation is identical under both the *Code of Virginia* and the Code of the County of Fairfax, the ticket be written pursuant to the County Code." He further moved, on behalf of the Audit Committee, that the Board direct the Office of the County Attorney to monitor changes to the *Code of Virginia* and, when warranted, recommend the appropriate changes to the Code of the County of Fairfax to maintain uniformity between the two codes where applicable so the County can collect the revenue.

Chairman Connolly said that it should be noted that this Board Matter is in no way an attempt to encourage the additional writing of traffic citations, nor is it intended to alter the current fines or penalties offered for various traffic offenses. Rather, this Board Matter is intended to ensure that whenever tickets currently written under the *Code of Virginia* could be written under the Code of the County

of Fairfax, that they are written pursuant to the County Code section. According to the Board Auditors, these changes could result in an additional \$1 million to \$3 million annually to the County's General Fund.

Supervisor Hyland and Supervisor McKay jointly seconded the motion.

Discussion ensued regarding the procedure for mirroring the County Code with the *Code of Virginia* as well as the instructions to police officers, with input from David P. Bobzien, County Attorney, and Anthony H. Griffin, County Executive.

Supervisor McKay noted that he had written a Board Matter for presentation later in the meeting regarding matching the County Code with the State Code in matters relating to blight abatement. Discussion ensued regarding department head responsibility for effecting appropriate changes to the Code with input from Mr. Bobzien.

Supervisor Hyland asked unanimous consent that the Board direct staff to add this issue to the agenda for the Board's upcoming retreat. Without objection, it was so ordered.

Following further discussion of the issue, with input from Mr. Bobzien, the question was called on the motion, which carried by unanimous vote.

Chairman Connolly asked unanimous consent that the Board direct the County Executive to convey the appropriate direction to the Chief of Police. Following brief input from Mr. Griffin regarding the budget implications, without objection, it was so ordered.

(NOTE: Later in the meeting, Supervisor McKay presented a related Board Matter. See Clerk's Summary Item #28.)

21. **LEAGUE OF WOMEN VOTERS DAY** (9:54 a.m.)

(NOTE: Earlier in the meeting, the Board took action regarding recognition of the anniversary of the League of Women Voters. See Clerk's Summary Item #17.)

Chairman Connolly clarified his earlier Board Matter by noting that it is the sixtieth anniversary of the *Fairfax County Chapter* of the League of Women Voters.

Vice-Chairman Bulova returned the gavel to Chairman Connolly.

DET:det

22. **ORDERS OF THE DAY** (9:54 a.m.)

Chairman Connolly announced that the Board would return to the last proclamation to honor the Westfield High School Football Team.

**AGENDA ITEMS**

23. **CERTIFICATE OF RECOGNITION PRESENTED TO THE WESTFIELD HIGH SCHOOL FOOTBALL TEAM (SULLY DISTRICT)** (9:54 a.m.)

Supervisor Frey moved approval of the Certificate of Recognition presented to members of the Westfield High School football team for outstanding accomplishments through skill, principles of teamwork and true sportsmanship during the 2007 season, completing the year undefeated and winning the 2007 Virginia State Championship. Supervisor Bulova seconded the motion.

Supervisor Frey noted that the certificate did not recognize that the team was the first team to go 15-0 during a season due to the expansion of the northern region playoffs. He also acknowledged the support shown by the Westfield High School community. The question was called on the motion and it carried by unanimous vote.

EBE:ebe

24. **A-2 – ALLOCATION OF CONTRIBUTED ROAD FUNDS FROM THE TYSONS FUND AREA FOR TRANSPORTATION IMPROVEMENTS IDENTIFIED BY THE COMPREHENSIVE PLAN AND THE TYSONS LAND USE TASK FORCE (PROVIDENCE AND HUNTER MILL DISTRICTS)** (10:05 a.m.)

(NOTE: Earlier in the meeting, the Board deferred action on this item. See Clerk's Summary Item #11.)

Discussion ensued with input from Katharine Ichter, Director, Department of Transportation, regarding the total amount of \$8.1 million being allocated to the study.

Supervisor Smyth asked to amend the motion to approve allocation of \$2.1 million for the three designated projects and that the balance should come back to the Board with spending recommendations. This was accepted.

Discussion ensued, with input from Ms. Ichter, regarding the \$6 million balance and a traffic study.

Further discussion ensued, with input from David P. Bobzien, County Attorney, and Ms. Ichter regarding whether there are legal restrictions on boundaries.

Chairman Connolly relinquished the Chair to Vice-Chairman Bulova and asked unanimous consent that the Board direct the County Attorney to report with information regarding this issue. Without objection, it was so ordered.

Vice-Chairman Bulova returned the gavel to Chairman Connolly.

Supervisor Foust asked unanimous consent that the Board direct staff to report with information regarding whether funds are available to conduct a traffic analysis to consider the impact on surrounding communities. Without objection, it was so ordered.

Further discussion ensued, with input from Dan Rathbone, Chief, Transportation Planning Division, Department of Transportation, regarding a traffic analysis.

The question was called on the main motion, as amended, and it carried by unanimous vote.

**NV:nv**

### **ADDITIONAL BOARD MATTERS**

25. **RICHMOND HIGHWAY SERVICE ROAD “NO PARKING SIGNS”  
(MOUNT VERNON DISTRICT)** (10:20 a.m.)

Supervisor Hyland said that late last year a concerned business owner contacted the Virginia Department of Transportation (VDOT) and his office to express his frustration about parking in front of his restaurant on Richmond Highway. Large moving trucks frequently park temporarily along the access road in front of his business. This causes site distance, parking, and many other problems. Residents who patronize the restaurant are frequently unable to access the parking lot. During a site visit in December 2007, VDOT agreed to install “No Parking” signs on the access road nearest Richmond Highway due to the sight distance problems, but could not restrict parking in front of the restaurant. VDOT encouraged the County to install “No Parking” signs in front of the establishment to mitigate the problem. Section 82-5-37 of the Code of the County of Fairfax provides authority to regulate parking in front of the business.

Accordingly, Supervisor Hyland moved that the Board direct the Department of Transportation (DOT) to:

- Install “No Parking” signs along the frontage of 7531 Richmond Highway.
- Obtain the necessary permits from VDOT.

- Coordinate enforcement with the Police Department.

Supervisor McKay seconded the motion.

Noting that this is a Countywide issue, Supervisor Gross asked to amend the motion to direct staff to evaluate the issue and provide strategies for consideration that would eliminate the requirement to come to the Board for every block, and this was accepted.

Supervisor Smyth asked to amend the motion to direct staff to provide more information regarding ownership of parcels that are in this situation, so called “orphan service drives,” and this was accepted.

The question was called on the motion, as amended, which carried by unanimous vote.

26. **JOINT BOARD MATTER IN RECOGNITION OF HILLTOP SAND AND GRAVEL COMPANY, INCORPORATED (LEE AND MOUNT VERNON DISTRICTS)** (10:23 a.m.)

Supervisor Hyland said that over the years the Board of Directors of Hilltop Sand and Gravel Company had graciously contributed thousands of dollars to the Park Authority’s George Washington Recreation Center in memory of Mr. Clemens Gailliot, Sr. Mr. Gailliot has seen the growth of the Mount Vernon District and the County since 1917. His contributions allowed the Park Authority to make improvements to that recreation center.

Supervisor McKay noted that Mr. Gailliot and Hilltop Sand and Gravel Company donated hundreds of thousands of dollars over the years to the Lee District Recreation Center as well.

Therefore, jointly with Supervisor McKay, Supervisor Hyland asked unanimous consent that the Board direct staff to invite the members of the Board of Directors of Hilltop Sand and Gravel to appear before the Board to be recognized for their support of the County’s parks in both Lee and Mount Vernon Districts. Without objection, it was so ordered.

27. **NO BOARD MATTERS FOR DRANESVILLE DISTRICT SUPERVISOR JOHN FOUST** (10:25 a.m.)

Supervisor Foust noted that he had no Board Matters to present today.

28. **BLIGHT ABATEMENT LEGISLATION** (10:25 a.m.)

(NOTE: Earlier in the meeting, the Board raised the issue of matching the Code of the County of Fairfax with the *Code of Virginia*. See Clerk's Summary Item #20.)

Supervisor McKay referred to his written Board Matter regarding blight abatement. He noted that there was a memorandum to the Board from the County Attorney dated October 18, 2007, which outlined several pieces of legislation that gives the County the power to modify the Code of the County of Fairfax to match the *Code of Virginia* and take advantage of the tools available to enforce blight abatement.

Accordingly, Supervisor McKay moved that the Board direct staff to review this enabling legislation as noted in his written Board Matter and provide recommendations by April as to how this can be implemented in the County to supplement the existing blight abatement process. Supervisor Herrity seconded the motion, which carried by unanimous vote.

29. **WALKING TOWN MEETINGS (LEE DISTRICT)** (10:26 a.m.)

Supervisor McKay stated that he had announced during his campaign that he would be conducting walking Lee District town meetings during weekends or evening hours. He said that the purpose of the meetings is for him and his staff, along with County officials, to get a sidewalk-level view of neighborhood needs, hear firsthand about issues that concern specific neighborhoods, meet residents, and act on practical and timely solutions to problems and concerns.

Supervisor McKay said that Lee District sidewalk town meetings will begin in April and he encouraged interested Lee District community associations to contact his office if they would like to participate. More information about this initiative will soon be posted on his website, <http://www.fairfaxcounty.gov/lee>.

30. **LEE DISTRICT OPEN HOUSE** (10:27 a.m.)

As is the tradition in the Lee District to hold a Lee District New Year's Open House on the last Saturday in January, Supervisor McKay announced that he and his staff will host this event on January 26. It will take place from 2-4 p.m. in the community room of the Franconia Governmental Center. He invited Board Members and Lee District residents to attend. Chairman Connolly announced that he planned to attend.

31. **JOINT BOARD MATTER TO NAME THE NEW PUBLIC SAFETY TRANSPORTATION OPERATIONS CENTER (PSTOC) FOR FORMER SUPERVISOR ELAINE McCONNELL (SPRINGFIELD DISTRICT)** (10:28 a.m.)

Supervisor Herrity announced that his first Board Matter was a joint matter with the entire membership of the Board.

Supervisor Herrity said that among the many achievements in her 24 years of service to the County, Elaine McConnell has been a champion in the field of public safety and transportation. Her interest in law enforcement has been evident in her strong advocacy for the needs of the County's police and fire departments, and she is well known for her leadership in transportation issues in the County where she worked tirelessly to improve the transportation system.

Supervisor Herrity noted that Mrs. McConnell was a driving force and had a deep commitment to the construction of the PSTOC and Forensics Facility. Her vision, persistence, and guidance were instrumental in the success of the project.

With the construction of the PSTOC project more than 80 percent complete and substantial completion scheduled for early summer 2008, Supervisor Herrity said that the new Fairfax County/Commonwealth of Virginia public safety and transportation facility will improve the way local and State leaders control government resources, communicate information and decisions to the public, and deploy assets to meet critical community needs both day-to-day and during emergencies or disasters.

Accordingly, Supervisor Herrity, jointly with the entire Board, moved that the Board name the new PSTOC facility the "McConnell Public Safety and Transportation Operations Center." Chairman Connolly seconded the motion jointly with the rest of the Board.

Following a facetious comment regarding installing a lidar gun next to the sign for the facility, the question was called on the motion, which carried by unanimous vote.

32. **CONCURRENT PROCESSING FOR SPECIAL EXCEPTION AMENDMENT APPLICATION SEA 81-S-053 (VIRGINIA POWER) (SPRINGFIELD DISTRICT)** (10:31 a.m.)

Supervisor Herrity said that Special Exception Amendment Application SEA 81-S-053 is a proposal by Virginia Power to amend a special exception to allow for the addition of a third transformer to an existing electrical substation, which is also the site of a gas pumping and distribution system for Colonial Pipeline. The property is approximately ten acres and is located at the terminus of Moore Road [Tax Map 55-3((1))31A], adjacent to Hayden Village development. The new transformer will enhance the existing electrical infrastructure by

providing the capacity needed to support the residential and commercial growth in this portion of the County. This added capacity will also provide a more reliable redundant power source for the new Public Safety Transportation Operations Center (PSTOC), which is scheduled to be substantially completed by early summer of this year. The applicant has been granted an expedited Board public hearing, but is continuing to work with staff to address some final issues.

To ensure that the application proceeds as expeditiously as possible, Supervisor Herrity moved that the Board direct staff to concurrently process the site plan. He noted that this motion does not relieve the applicant from complying with all regulations, ordinances, or adopted standards, and does not prejudice the consideration of this application in any way. Supervisor Bulova seconded the motion, which carried by unanimous vote.

**PMH:pmh**

33. **LAND PRESERVATION** (10:32 a.m.)

Supervisor Gross said that the County obtains its water from the Potomac and Occoquan Rivers. Successive County Boards have taken action to protect part of the Occoquan watershed through establishment and preservation of R-C zoning. However, development in surrounding jurisdictions can have a significant negative impact on drinking water quality, not only threatening the health of County residents, but also forcing the County to make costly investments in additional drinking water treatment. A study of 27 watersheds conducted by the American Water Works Association and the Trust for Public Land in 2002 found that a 10 percent increase in forest cover reduces treatment costs by 20 percent, and that 50-55 percent of the variation in cost of drinking water treatment is caused by tree cover or lack thereof. Preserving riparian headwaters today in the headwaters of drinking water sources could be a cost-effective method to preserve drinking water quality for fixture generations of County residents. Cities including Fredericksburg and New York have successfully used land preservation to protect water quality, along the Rappahannock River and in the Catskills/Adirondacks, respectively. Preservation of riparian areas of the drinking water supply could also increase parkland acreage in the County and region.

Therefore, Supervisor Gross moved that the Board direct staff to investigate Fredericksburg and New York's land preservation initiatives to protect water supply, to investigate regional and local funding mechanisms for preservation of upstream riparian areas, including fees charged by water authorities, and to report its findings to the Board's Environment Committee by March of this year. Chairman Connolly seconded the motion and it carried by unanimous vote.

34. **STRIKE TEAM** (10:39 a.m.)

Supervisor Gross referred to the issue of placing families in motels and she asked unanimous consent that the Board direct staff to report with policies regarding not placing families in motels. Without objection, it was so ordered.

A brief discussion ensued regarding the Board's Policy on this issue.

Supervisor Gross asked unanimous consent that the Board direct the Strike Team to include in its report the number of families being evicted and how those families are being handled. Without objection, it was so ordered.

35. **MOTION TO AUTHORIZE THE EVOLUTION CYCLING CLUB TO UTILIZE A COUNTY RIGHT-OF-WAY FOR A BICYCLE EVENT (SULLY DISTRICT)** (10:42 a.m.)

Supervisor Frey said that the Evolution Cycling Club, in collaboration with the Mid-Atlantic Bicycle Racing Association and USA Cycling, has requested permission from the Board to conduct a bicycle race on Avion Parkway and Virginia Mallory Drive on three separate Saturdays in March. The bicycle event is proposed to occur on March 8, 15, and 22, from 11 a.m. to 2 p.m. During that timeframe, two interior lanes of Avion Parkway and Virginia Mallory Drive would be closed to the public. The Cycling Club will provide three flagmen and two Caution Bike Race signs within the County right-of-way and will coordinate additional security with the Police Department.

The Evolution Cycling Club estimates 100 cyclists will participate in the event. The applicant has liability insurance coverage and agrees to hold harmless and indemnify the County with respect to any claim or loss, injury or damage arising out of negligence of the applicant. It is also understood that the participants will wear appropriate protective equipment and will not encroach on private property.

Therefore, Supervisor Frey moved that the Board authorize the County Executive to grant permission to the Evolution Cycling Club to utilize Avion Parkway and Virginia Mallory Drive from 11 a.m. to 2 p.m. on March 8, 15, and 22 for the bicycle race event. Supervisor Smyth seconded the motion and it carried by unanimous vote.

36. **ENTERPRISE RENT-A-CAR (SULLY DISTRICT)** (10:44 a.m.)

Supervisor Frey said that Enterprise Rent-a-Car has filed a special exception request to establish a vehicle rental establishment at Centreville Square in Centreville. The Planning Commission hearing has been scheduled for March 5. For contractual reasons, the applicant has requested a date certain for the Board public hearing and staff from the Department of Planning and Zoning has no objection.

Therefore, Supervisor Frey moved that the Board authorize the scheduling of the Board date to occur as soon as feasible after the Planning Commission decision. The applicants understand that this motion does not relieve them of any obligation, ordinance, or standards, and will not prejudice the consideration of the application in any way. Supervisor Bulova seconded the motion and it carried by unanimous vote.

37. **PROPOSED LEGISLATION REGARDING "IN KIND RESOURCES"**  
(10:44 a.m.)

Supervisor Frey said that in 2007, *Virginia Code* Section 15.2-953 was amended to permit a locality to contribute "in kind resources," which could include office space, equipment, and labor, to the various charitable institutions and associations, volunteer organizations, chambers of commerce, and others that are enumerated in that section of the Code. The amendment, although helpful to localities wishing to assist these entities by providing resources to them, is limited in its application because it limits the in kind resources to those that would assist a donee in "any event" sponsored by the donee. It is the opinion of the County Attorney that a further amendment to *Virginia Code* Section 15.2-953, to broaden the ability of localities to provide in kind resources in situations other than a single event, is warranted.

Specifically, current *Virginia Code* Section 15.2-953 E. states: "[f]or the purposes of this section, 'donations' shall include the lawful provision of in-kind resources for any event sponsored by the donee." He said that he has discussed this with the Chairman, and they agree that the Board should endorse an amendment to *Virginia Code* Section 15.2-953 E so that the language would state: "[f]or the purposes of this section, 'donations' shall include the lawful provision of in-kind resources."

Supervisor Frey noted that Senator Saslaw is sponsoring legislation which would authorize donations to community groups which could also encompass this amendment and he moved that the Board endorse the proposed change and direct staff to work with Senator Saslaw to incorporate this proposal into that legislation. Supervisor Bulova seconded the motion and it carried by unanimous vote.

38. **TAX CREDITS FOR VOLUNTEER PHYSICIANS** (10:47 a.m.)

Supervisor Frey referred to the issue of volunteer, uncompensated physicians and he asked unanimous consent that the Board direct staff to refer this issue to the County Attorney for clarification and status of this issue. Without objection, it was so ordered.

39. **ROUTE 7 UTILITY RELOCATION (HUNTER MILL DISTRICT)**  
(10:49 a.m.)

Supervisor Hudgins said that in late December, the Dulles Corridor Metrorail Project announced that utility relocation work would begin along Route 7 between Route 123 and the Dulles Toll Road. These relocations are necessary prior to starting the construction of the rail project.

Supervisor Hudgins said staff is closely coordinating with the Dulles Corridor Metrorail Project staff in these relocations that will be mostly underground. Placement of utilities including light poles and the expense in relocating them become an all too common obstacle in the efforts to extend or build sidewalks and trails in urban areas. A pedestrian friendly Route 7 is one of the major goals of the Tysons Corner Plan now underway.

Therefore, Supervisor Hudgins asked unanimous consent that the Board direct staff to review utility relocation plans to be absolutely certain that no obstructions are being created to pedestrian movement in Tysons Corner and Route 7. Without objection, it was so ordered.

40. **BRUCE BUTLER AND HOWARD SPRINGSTEEN – CITIZENS OF THE YEAR (HUNTER MILL DISTRICT)** (10:50 a.m.)

Supervisor Hudgins said that South Lakes High School Principal Bruce Butler and Vienna resident Howard Springsteen were both recipients of *Time's Community Newspapers'* "Citizens of the Year" Awards.

Earlier this year, Mr. Butler was named Fairfax County Public School's 2007 First-Year Principal of the Year and was named the recipient of Nancy F. Sprague First-Year Administrator Award.

Mr. Springsteen has been the president of the Vienna Volunteer Fire Department since 2001 and a member for 11 years. He helped oversee the renovation of the Vienna Firehouse and the Capital Improvement Fund. He is an employee for the County Department of Vehicle Services and currently serves on Vienna's Transportation Safety Committee.

Therefore, Supervisor Hudgins asked unanimous consent that the Board direct staff to invite Mr. Butler and Mr. Springsteen to appear before the Board to be recognized respectively for their many contributions to the Hunter Mill District Community. Without objection, it was so ordered.

41. **RECOGNITION OF MR. BRUCE WRIGHT (HUNTER MILL DISTRICT)**  
(10:52 a.m.)

(BACs) Supervisor Hudgins said that Bruce Wright, Hunter Mill District Representative to the County's Trails and Sidewalk Committee for many years, and its former Chairman, is resigning this year from the committee. An experienced cyclist and a long time advocate of the County's trail and sidewalk network, Mr. Wright's contributions to not only Hunter Mill District but the County are considerable.

Therefore, Supervisor Hudgins asked unanimous consent that the Board direct staff to invite Mr. Wright to appear before the Board to be recognized for his work. Without objection, it was so ordered.

42. **HOMESTEAD EXEMPTION (HUNTER MILL DISTRICT)** (10:52 a.m.)

Supervisor Hudgins referred to an article *The Washington Post* regarding the Homestead exemption and asked unanimous consent that the Board direct staff to provide a review of the exemption. Without objection, it was so ordered.

There was a brief discussion, with input from Anthony H. Griffin, County Executive, regarding the tax exemption.

43. **WOODBURN CENTER FOR COMMUNITY MENTAL HEALTH AND THE INOVA FAIRFAX HOSPITAL CAMPUS (PROVIDENCE DISTRICT)** (10:58 a.m.)

Supervisor Smyth said that over the years the Woodburn Center for Community Mental Health and Inova Fairfax Hospital Campus have expanded to provide for the needs of the growing community.

The Board will need to collectively revisit the comprehensive land use planning of both the Woodburn Center for Community Mental Health and the Inova Fairfax Hospital Campus. To accommodate future medical and mental health needs, the Board needs to convene a Special Study Task Force to review, discuss, and provide community input for revising the Comprehensive land use plan of Woodburn and the adjoining County and Inova owned properties and the Inova Fairfax Hospital Campus.

To that end, Supervisor Smyth moved that the Board:

- Authorize the initiation of a Special Planning Study of the Woodburn Center for Mental Health and the adjoining County and Inova owned properties and the Inova Fairfax Hospital Campus.

- Direct the Department of Planning and Zoning to coordinate with her office to convene a citizen task force before the end of January.

Supervisor Bulova seconded the motion and it carried by unanimous vote.

44. **VIENNA III PARKING STRUCTURE (PROVIDENCE DISTRICT)**  
(10:59 a.m.)

Supervisor Smyth said that the Board previously authorized the County Executive to proceed with the addition of a third parking structure at the Vienna/Fairfax-GMU Metrorail Station as a follow-up motion to the MetroWest rezoning. Because of recent fare increases at the Washington Metropolitan Area Transit Authority (WMATA), the recent and future additions of parking at the West Falls Church and Dunn Loring Metrorail Stations, recent bus service improvements at the Vienna/Fairfax-GMU Metrorail Station, the future addition of an HOV ramp from eastbound I-66 to Vaden Drive, and the planned additional parking at the Stringfellow Road Park-and-Ride lot in the I-66 corridor, additional parking at the Vienna/Fairfax-GMU station is not needed at this time. Further, the Comprehensive Plan envisions that at some point in time Vienna will no longer be a terminal station and that the long-term traffic carrying capacity of I-66 would benefit by enhanced transit service in the corridor.

Supervisor Smyth said that while the extension of Metrorail service is not likely to occur in the near term, enhanced bus service, perhaps Bus Rapid Transit (BRT), could be developed to benefit travelers in the corridor, particularly with the HOV ramp to Vaden Drive. Currently, demand is high for parking at the Stringfellow Park and Ride Lot, and there is land set aside for commuter parking in proximity to the Government Center. It seems that the County is best served in the near term, and possibly in the long-term, by continuing to encourage use of commuter parking lots rather than facilitating additional auto travel on I-66, which may be the result of providing additional parking at the Vienna Metro. And, it is not out of the realm of possibility that once BRT is provided in the corridor, that a significant number of parking spaces at Vienna would be underutilized.

Therefore, for the above reasons, Supervisor Smyth moved that the Board indefinitely defer the pursuit of a third parking structure at the Vienna/Fairfax-GMU Metrorail Station. Supervisor Hudgins seconded the motion.

Discussion ensued, with input from Katharine D. Ichter, Director, Department of Transportation, regarding the parking structure.

The question was called on the motion and it carried by unanimous vote.

45. **QUARTERLY STATUS REPORT ON OPERATIONS OFFICE OF THE FINANCIAL AND PROGRAMS AUDITOR** (11:04 a.m.)

(Note: Earlier in the meeting, an item in this report was discussed. See Clerk's Summary Item #20.)

Supervisor Bulova moved that the Board accept the Quarterly Status Report on Operations. Supervisor Gross seconded the motion.

Following discussion, regarding the report, the question was called on the motion and it carried by unanimous vote.

46. **HISTORY OF ASIAN AMERICANS IN THE COUNTY** (11:07 a.m.)

Supervisor Bulova announced that on January 23 at 7 p.m. in Braddock Hall, her office will be kicking off a project to capture and tell the history of Asian Americans who have made the County their home.

47. **APPOINTMENT TO THE PARK AUTHORITY BOARD** (11:07 a.m.)

(APPT) Chairman Connolly moved the reappointment of Ms. Georgette Kohler as an At-Large Representative to the Park Authority Board. Supervisor Gross seconded the motion and it carried by unanimous vote.

48. **RECESS/CLOSED SESSION** (11:08 a.m.)

Supervisor Gross moved that the Board recess and go into closed session for discussion and consideration of matters enumerated in Virginia Code Section (§) 2.2-3711 and listed in the agenda for this meeting as follows:

- (a) Discussion or consideration of personnel matters pursuant to Virginia Code § 2.2-3711(A) (1).
- (b) Discussion or consideration of the acquisition of real property for a public purpose, or of the disposition of publicly held real property, where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the public body, pursuant to Virginia Code § 2.2-3711(A) (3).
- (c) Consultation with legal counsel and briefings by staff members or consultants pertaining to actual or probable litigation, and consultation with legal counsel regarding specific legal matters requiring the provision of legal advice by such counsel pursuant to Virginia Code § 2.2-3711(A) (7).

1. *John Kestler v. T.W. Tilden, Carol Wilhite, and Board of Supervisors of Fairfax County*, Case No. 1:07-cv-00791 TSE/BRP (E.D. Va.)
2. *David P. Muga v. Maria Isabel Salas Guevara and Soudy Chamanara*, Case No. CL-2007-0001899 (Fx. Co. Cir. Ct.)
3. *Henry Penn v. Fairfax County*, Case No. 1:06-cv-01449 (E.D. Va.)
4. *Ryan Herold v. Richard Perl*, Case No. CL-2007-0010415 (Fx. Co. Cir. Ct.)
5. *Eugenia B. White v. Fairfax County Department of Family Services*, Court No. 1:07-cv-00696 (E.D. Va.)
6. *Carletta Alexander v. John T. Frey, et al.*, Court No. 1:07-cv-00556 (E.D. Va.)
7. *Augusta E. Jackson v. Fairfax County Government*, Case No. 1:07-cv-00850 LMB/TRJ (E.D. Va.)
8. *Eileen M. McLane, Fairfax County Zoning Administrator v. Gerson O. Camacho and Carmen S. Camacho*, Case No. CL-2007-0013773 (Fx. Co. Cir. Ct.) (Providence District)
9. *Jane W. Gwinn, Fairfax County Zoning Administrator v. John Charles Lozinyak*, In Chancery No. 146692 (Fx. Co. Cir. Ct.) (Mason District)
10. *Eileen M. McLane, Fairfax County Zoning Administrator v. Angela Rivas*, Case No. CL-2007-0008621 (Fx. Co. Cir. Ct.) (Mason District) (Strike Team Case)
11. *Eileen M. McLane, Fairfax County Zoning Administrator v. Ana Caballero*, Case No. CL-2007-0001746 (Fx. Co. Cir. Ct.) (Providence District)

12. *Eileen M. McLane, Fairfax County Zoning Administrator v. Richard Dean Lucht*, Case No. CL-2007-0012235 (Fx. Co. Cir. Ct.) (Providence District)
13. *Eileen M. McLane, Fairfax County Zoning Administrator v. William K. Wilson and N. Bray Wilson*, Case No. CL-2007-0007571 (Fx. Co. Cir. Ct.) (Sully District)
14. *Eileen M. McLane, Fairfax County Zoning Administrator v. Paul F. Vayo and Genia Vayo*, Case No. CL-2007-0009676 (Fx. Co. Cir. Ct.) (Braddock District)
15. *Eileen M. McLane, Fairfax County Zoning Administrator v. Oscar Maranon and Maria E. Perez*, Case No. CL-2007-0009989 (Fx. Co. Cir. Ct.) (Providence District)
16. *Eileen M. McLane, Fairfax County Zoning Administrator v. Dino Mitchell*, Case No. CL-2007-0008571 (Fx. Co. Cir. Ct.) (Providence District)
17. *Eileen M. McLane, Fairfax County Zoning Administrator v. Nelson Hernandez and Reina Villalobos*, Case No. CL-2007-0012868 (Fx. Co. Cir. Ct.) (Lee District) (Strike Team Case)
18. *Eileen M. McLane, Fairfax County Zoning Administrator v. Raimundo Guevara-Mendieta*, Case No. CL-2007-0012705 (Fx. Co. Cir. Ct.) (Lee District) (Strike Team Case)
19. *Eileen M. McLane, Fairfax County Zoning Administrator, and Michael R. Congleton, Property Maintenance Code Official for Fairfax County, Virginia v. Joseph L. Williams*, Case No. CL-2007-0012566 (Fx. Co. Cir. Ct.) (Mount Vernon District)
20. *Michael R. Congleton, Property Maintenance Code Official for Fairfax County, Virginia v. Dorothy E. Young and Leon A. Young*, Case No. CL-2007-0010490 (Fx. Co. Cir. Ct.) (Mount Vernon District)

21. *Eileen M. McLane, Fairfax County Zoning Administrator v. Wilfredo Pena and Elsa Marina Lopez*, Case No. CL-2007-0012257 (Fx. Co. Cir. Ct.) (Lee District) (Strike Team Case)
22. *Eileen M. McLane, Fairfax County Zoning Administrator v. Brian K. Fleck and Terri R. Fleck*, Case No. CL-2007-0011235 (Fx. Co. Cir. Ct.) (Providence District)
23. *Eileen M. McLane, Fairfax County Zoning Administrator v. Edson Hector Solis-Osinaga and Shelia Veronica Mendez Diaz*, Case No. CL-2007-0002904 (Fx. Co. Cir. Ct.) (Providence District)
24. *Eileen M. McLane, Fairfax County Zoning Administrator v. Syung D. Han and Young J. Byun*, Case No. CL-2007-0010842 (Fx. Co. Cir. Ct.) (Providence District)
25. *Eileen M. McLane, Fairfax County Zoning Administrator v. Eugenia Leus*, Case No. CL-2007-0005557 (Fx. Co. Cir. Ct.) (Dranesville District)
26. *Eileen M. McLane, Fairfax County Zoning Administrator, and Michael R. Congleton, Property Maintenance Code Official for Fairfax County, Virginia v. Ramiro Ventura*, Case No. CL-2007-0014562 (Fx. Co. Cir. Ct.) (Mount Vernon District)
27. *Eileen M. McLane, Fairfax County Zoning Administrator v. Ada M. Evans*, Case No. CL-2007-0015191 (Fx. Co. Cir. Ct.) (Providence District)
28. *Eileen M. McLane, Fairfax County Zoning Administrator v. Youssef Achhal, aka Youssel Achhal and Marisol Ferrel*, Case No. CL-2007-0015033 (Fx. Co. Cir. Ct.) (Lee District)
29. *Eileen M. McLane, Fairfax County Zoning Administrator v. Esteban Maldonado*, Case No. CL-2007-0015031 (Fx. Co. Cir. Ct.) (Lee District)

30. *Eileen M. McLane, Fairfax County Zoning Administrator v. Norberto Diego Lopez Perez and Norma Rosa Fernandez*, Case No. CL-2007-0015311 (Fx. Co. Cir. Ct.) (Mason District)
31. *Eileen M. McLane, Fairfax County Zoning Administrator v. Jorge A. Lagarteria and Maria A. Lagarteria*, Case No. CL-2007-0014790 (Fx. Co. Cir. Ct.) (Mason District)
32. *Eileen M. McLane, Fairfax County Zoning Administrator v. Lan Ngoc Phan, and Hon H. Luong*, Case No. CL-2007-0014491 (Fx. Co. Cir. Ct.) (Providence District)
33. *Eileen M. McLane, Fairfax County Zoning Administrator v. Lewis M. Lipscomb, Jr., and Floy A. Lipscomb*, Case No. CL-2007-0014495 (Fx. Co. Cir. Ct.) (Mount Vernon District)
34. *Eileen M. McLane, Fairfax County Zoning Administrator v. Young S. Joo and Mi J. Joo*, Case No. CL-2007-0014788 (Fx. Co. Cir. Ct.) (Braddock District)
35. *Michael R. Congleton, Property Maintenance Code Official for Fairfax County, Virginia v. Jorge L. Tello and Patty Pino*, Case No. CL-2007-0015313 (Fx. Co. Cir. Ct.) (Sully District)
36. *Eileen M. McLane, Fairfax County Zoning Administrator v. Joseph A. Ridgell and Jahel B. Ridgell*, Case No. CL-2007-0014496 (Fx. Co. Cir. Ct.) (Mount Vernon District)
37. *Eileen M. McLane, Fairfax County Zoning Administrator v. Billy E. Del-Cid Solis, Moises Marquez Del-Cid, and Maria A. Marquez*, Case No. CL-2007-0014482 (Fx. Co. Cir. Ct.) (Mount Vernon District)
38. *Michael R. Congleton, Property Maintenance Code Official for Fairfax County, Virginia v. David J. Frenier and Sandra K. Frenier*, Case No. CL-2007-0014733 (Fx. Co. Cir. Ct.) (Braddock District)

39. *Board of Supervisors of Fairfax County, Virginia v. ConocoPhillips Company, formerly Tosco Refining, L.P., and Safeco Insurance Company of America*, Case No. CL-2007-0001188 (Fx. Co. Cir. Ct.) (Sully District)
40. *Board of Supervisors of Fairfax County, Virginia v. Circle K Stores, Inc., et al.*, Case No. CL-2007-0002024 (Fx. Co. Cir. Ct.) (Springfield District)

And in addition:

- Richard Thaxton v. Bill Smoot, et al., Case Number CL-2007-0001058
- Representation of the Park Authority and the County in Negotiations with the Upper Occoquan Sewage Authority

Supervisor Bulova seconded the motion.

Supervisor Hyland asked unanimous consent that the Board direct staff to include on the agenda for closed session an update from the County Attorney regarding the Colchester Sewage Treatment Plant.

Following discussion, with input from David P. Bobzien, County Attorney, Supervisor Hyland withdrew his request.

The question was called on the motion and it carried by unanimous vote.

#### **ADDITIONAL BOARD MATTER**

#### 49. **DEFERRAL OF PUBLIC HEARINGS** (11:10 a.m.)

Supervisor Gross announced her intent, at the appropriate time, later in the meeting, to defer the public hearing on Special Exception Amendment Application SEA 01-M-006-02.

Supervisor Frey announced his intent, at the appropriate time, later in the meeting, to defer the public hearing on Special Exception Application SE 2007-SU-007.

Supervisor Bulova announced that she may defer the public hearings on:

- Developmental Plan Amendment Application DPA C-546-23.
- Planned Residential Community Application PRC C-546.

- Proffered Condition Amendment Application PCA 1998-BR-073.
- Proffered Condition Amendment Application PCA 75-8-036-02.

Supervisor Gross announced her intent, at the appropriate time, later in the meeting, to defer the public hearing on Special Exception Application SE 2006-MA-021.

Supervisor Hudgins said that she may defer the public hearing on Planned Residential Community Application PRC B-846.

(NOTE: Later in the meeting, several of these public hearings were formally deferred. See Clerk's Summary Items #56, #58, and #76)

#### **DMS:dms**

At 3:11 p.m., the Board reconvened in the Board Auditorium with all Members being present, and with Chairman Connolly presiding.

#### **ACTIONS FROM CLOSED SESSION**

50. **CERTIFICATION BY BOARD MEMBERS REGARDING ITEMS DISCUSSED IN CLOSED SESSION** (3:11 p.m.)

Supervisor Bulova moved that the Board certify that, to the best of its knowledge, only public business matters lawfully exempted from open meeting requirements and only such public business matters as were identified in the motion by which closed session was convened were heard, discussed, or considered by the Board during the closed session. Supervisor Smyth seconded the motion and it carried by unanimous vote, Supervisor Bulova, Supervisor Foust, Supervisor Frey, Supervisor Gross, Supervisor Herrity, Supervisor Hudgins, Supervisor Hyland, Supervisor McKay, Supervisor Smyth, and Chairman Connolly voting "AYE."

51. **SALARY INCREASE FOR THE CONSTITUTIONAL OFFICERS** (3:12 p.m.)

Supervisor Gross moved that the salaries of the Constitutional Officers for the County be set for their term of office as follows:

- John T. Frey, Clerk of the Court, to \$149,761.
- Raymond F. Morrogh, Commonwealth Attorney, to \$152,330.

- Stan G. Barry, Sheriff, to \$153,272.

Supervisor Gross further moved that the salary of Jackie C. Harris, the General Registrar, be set at \$108,485, and that the salary be adjusted by the Market Rate Adjustment as applied to the County's pay scale.

Supervisor Bulova seconded the motion, and it carried by unanimous vote.

52. **SETTLEMENT IN RICHARD THAXTON VERSUS BILL SMOOT, CASE NUMBER CL-2007-0001058** (3:13 p.m.)

Supervisor Smyth moved that the Board accept the settlement offer in Richard Thaxton versus Bill Smoot, et al., Case No. CL-2007-0001058, according to the terms and conditions outlined by the County Attorney in closed session. Supervisor Bulova seconded the motion, and it **CARRIED** by a recorded vote of six, Supervisor Foust, Supervisor Herrity, Supervisor Hyland, and Chairman Connolly voting "NAY."

53. **AUTHORIZATION OF THE COUNTY ATTORNEY'S OFFICE TO REPRESENT THE PARK AUTHORITY IN ITS CURRENT NEGOTIATIONS WITH THE UPPER OCCOQUAN SEWAGE AUTHORITY (UOSA)** (3:14 p.m.)

Supervisor Frey moved that the Board authorize the County Attorney's Office to represent the Park Authority in its current negotiations with the UOSA, and that pursuant to Rule 1.7 of the Rules of the Supreme Court of Virginia, the Board consents to this representation. Supervisor Bulova seconded the motion and it carried by unanimous vote.

#### **AGENDA ITEMS**

54. **3 P.M. – PH ON PROFFERED CONDITION AMENDMENT APPLICATION PCA 2003-DR-058 (NVR, INCORPORATED D/B/A RYAN HOMES) (DRANESVILLE DISTRICT)** (3:15 p.m.)

(NOTE: On October 15, 2007, the Board deferred the public hearing on this item until January 7, 2008.)

The application property is located north of the terminus of Winterwood Place and south of the terminus of Fantasia Drive, Tax Map 10-4 ((1)) 1, 2A, and 2B.

Ms. Elizabeth D. Baker reaffirmed the validity of the affidavit for the record.

Chairman Connolly disclosed the following campaign contributions which he had received in excess of \$100 from:

- Mr. Scott M. Herrick, Herndon Crossing, LLC

- Mr. John H. Thillmann, Herndon Crossing, LLC
- Mr. William A. Moran, NVR, Incorporated

Supervisor Gross disclosed the following campaign contributions which she had received in excess of \$100 from:

- Mr. Scott M. Herrick, Herndon Crossing, LLC
- Mr. John H. Thillmann, Herndon Crossing, LLC

Supervisor Bulova disclosed the following campaign contributions which she had received in excess of \$100 from:

- Mr. Scott M. Herrick, Herndon Crossing, LLC
- Mr. John H. Thillmann, Herndon Crossing, LLC

Supervisor McKay disclosed the following campaign contributions which he had received in excess of \$100 from:

- Mr. Scott M. Herrick, Herndon Crossing, LLC
- Mr. John H. Thillmann, Herndon Crossing, LLC

Supervisor Frey disclosed the following campaign contribution which he had received in excess of \$100 from:

- Mr. William A. Moran, NVR, Incorporated

Supervisor Hudgins disclosed the following campaign contribution which she had received in excess of \$100 from:

- Mr. John H. Thillmann, Herndon Crossing, LLC

Kris Abrahamson, Branch Chief, Zoning Evaluation Division (ZED), Department of Planning and Zoning (DPZ), introduced Suzianna M. Battista, a new staff coordinator. On behalf of the Board, Chairman Connolly warmly welcomed her to the Board Auditorium.

Ms. Baker had filed the necessary notices showing that at least 25 adjacent and/or interested parties had been notified of the date and hour of this public hearing and she proceeded to present her case.

Following the public hearing, Suzianna Battista, Staff Coordinator, ZED, DPZ, presented the staff and Planning Commission recommendations.

Supervisor Foust moved approval of Proffered Condition Amendment Application PCA 2003-DR-058, subject to the proffers dated September 14, 2007. Supervisor Bulova seconded the motion and it carried by a vote of nine, Supervisor Hyland being out of the room.

Supervisor Foust further moved:

- Waiver of the maximum 600-foot private street length requirement.
- Modification of the trail requirements to delete the stream valley trail south of Young Avenue, in accordance with the previously approved CDP/FDP.

Supervisor Bulova seconded the motion and it carried by a vote of nine, Supervisor Hyland being out of the room.

55. **3 P.M. – PH ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, APPENDIX F, LOCAL AGRICULTURAL AND FORESTAL DISTRICTS TO RENEW APPLICATION AR 83-D-005-3 (RUTH B. CORNFIELD, REVOCABLE LIVING TRUST) (DRANESVILLE DISTRICT)** (3:21 p.m.)

- (O) A Certificate of Publication was filed from the editor of the *Washington Times* showing that notice of said public hearing was duly advertised in that newspaper in the issues of December 20 and December 27, 2007.

The application property is located at 9600 Arnon Chapel Road, Tax Map 8-3 ((1)) 7Z.

Jonathan Papp, Staff Coordinator, Zoning Evaluation Division, Department of Planning and Zoning, presented the staff report.

Following the public hearing, Mr. Papp presented the staff and Planning Commission recommendations.

Supervisor Foust moved approval of Agricultural Application AR 83-D-005-3 and adoption of the proposed amendments to the Code of the County of Fairfax, Appendix F, renewing the Cornfield Local Agricultural and Forestal District, subject to the Ordinance provisions dated October 18, 2007. Supervisor Smyth seconded the motion and it carried by a vote of nine, Supervisor Bulova, Supervisor Foust, Supervisor Frey, Supervisor Gross, Supervisor Herrity, Supervisor Hudgins, Supervisor McKay, Supervisor Smyth, and Chairman Connolly voting “AYE,” Supervisor Hyland being out of the room.

Supervisor Foust submitted items for the record.

56. **3 P.M. – PH ON SPECIAL EXCEPTION APPLICATION SE 2006-MA-021 (THAKORIAL MISTRY ET UX AND BABUBHAI S. MISTRY ET UX) (MASON DISTRICT)** (3:24 p.m.)

Supervisor Gross moved to defer the public hearing on Special Exception Application SE 2006-MA-021 until **Monday, January 28, 2008, at 3:30 p.m.** Supervisor Smyth seconded the motion and it carried by a vote of nine, Supervisor Hyland being out of the room.

57. **3 P.M. – PH ON SPECIAL EXCEPTION AMENDMENT APPLICATION SEA 01-M-006-02 (PUBLIC STORAGE) (MASON DISTRICT)** (3:25 p.m.)

(NOTE: On October 15, 2007, the Board deferred the public hearing on this item until January 7, 2008.)

The application property is located at 6319 Arlington Boulevard, Tax Map 51-3 ((1)) 6A.

Mr. Scott Mills reaffirmed the validity of the affidavit for the record.

Mr. Mills had filed the necessary notices showing that at least 25 adjacent and/or interested parties had been notified of the date and hour of this public hearing and he proceeded to present his case.

Following the public hearing, Tracy Strunk, Senior Staff Coordinator, Zoning Evaluation Division, Department of Planning and Zoning, presented the staff and Planning Commission recommendations.

Supervisor Gross moved approval of Special Exception Amendment Application SEA 01-M-006-02, subject to the development conditions dated December 17, 2007. Supervisor Smyth seconded the motion and it carried by a vote of nine, Supervisor Hyland being out of the room.

58. **3 P.M. – PH ON PROFFERED CONDITION AMENDMENT APPLICATION PCA 1998-BR-073 (STEUART-BURKE CENTER SHOPPING CENTER, LLC)**

**AND**

**PH ON PROFFERED CONDITION AMENDMENT PCA 75-8-036-02 (STEUART-BURKE CENTRE SHOPPING CENTER, LLC)**

**AND**

**PH ON DEVELOPMENTAL PLAN AMENDMENT APPLICATION DPA C-546-23 (STEUART-BURKE CENTRE SHOPPING CENTER, LLC)**

**AND**

**PH ON PLANNED RESIDENTIAL COMMUNITY APPLICATION PRC C-546 (STEUART-BURKE CENTRE SHOPPING CENTER, LLC) (BRADDOCK DISTRICT) (3:29 p.m.)**

Supervisor Bulova moved to defer the public hearings on Proffered Condition Amendment Applications PCA 1998-BR-073 and PCA 75-8-036-02, Developmental Plan Amendment Application DPA C-546-23, and Planned Residential Community Application PRC C-546 until **Monday, January 28, 2008, at 3:30 p.m.** Supervisor Smyth seconded the motion and it carried by a vote of nine, Supervisor Hyland being out of the room.

59. **3:30 P.M. – PH ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, APPENDIX F, LOCAL AGRICULTURAL AND FORESTAL DISTRICTS TO RENEW APPLICATION AR 91-Y-001-2 (TOM VAN RICHARDSON AND JOAN JOHNSON RICHARDSON) (SULLY DISTRICT) (3:30 p.m.)**

- (O) A Certificate of Publication was filed from the editor of the *Washington Times* showing that notice of said public hearing was duly advertised in that newspaper in the issues of December 20 and December 27, 2007.

The application property is located at 6001 Bull Run Post Office Road, Tax Map 42-4 ((1)) 15Z.

Jonathan Papp, Staff Coordinator, Zoning Evaluation Division, Department of Planning and Zoning, presented the staff report.

Following the public hearing, Mr. Papp presented the staff and Planning Commission recommendations.

Supervisor Frey moved approval of Agricultural Application AR 91-Y-001-2 and adoption of the proposed amendments to the Code of the County of Fairfax, Appendix F, renewing the Richardson Local Agricultural and Forestal District, subject to the Ordinance provisions dated November 21, 2007. Supervisor Bulova seconded the motion and it carried by a vote of nine, Supervisor Bulova, Supervisor Foust, Supervisor Frey, Supervisor Gross, Supervisor Herrity, Supervisor Hudgins, Supervisor McKay, Supervisor Smyth, and Chairman Connolly voting "AYE," Supervisor Hyland being out of the room.

60. **3:30 P.M. – PH ON PROFFERED CONDITION AMENDMENT APPLICATION PCA 2005-MA-005 (GOODWIN HOUSE INCORPORATED) (MASON DISTRICT)**

**AND**

**PH ON SPECIAL EXCEPTION AMENDMENT APPLICATION SEA 84-M-088-2 (GOODWIN HOUSE INCORPORATED) (MASON DISTRICT) (3:32 p.m.)**

The application property is located on the west side of South Jefferson Street immediately south of the Fairfax County/Arlington County boundary at 3440 South Jefferson Street, Tax Map 62-1 ((1)) 16G.

Ms. Elizabeth D. Baker reaffirmed the validity of the affidavit for the record.

Supervisor Gross disclosed the following campaign contribution which she had received:

- In excess of \$100 from Ms. Kathleen S. Anderson, Goodwin House Incorporated

Ms. Baker had filed the necessary notices showing that at least 25 adjacent and/or interested parties had been notified of the date and hour of this public hearing and she proceeded to present her case.

Following the public hearing, Tracy Strunk, Senior Staff Coordinator, Zoning Evaluation Division, Department of Planning and Zoning, presented the staff and Planning Commission recommendations.

Supervisor Gross moved:

- Approval of Proffered Condition Amendment Application PCA 2005-MA-005, subject to the proffers dated December 17, 2007.

- Approval of Special Exception Amendment Application SEA 84-M-088-02, subject to the development conditions dated November 14, 2007.
- Modification of the transitional screening requirement along the northern boundary in favor of that shown on the GDP/SE Plat.
- Modification of the Baileys Crossroads streetscape standard, in favor of that shown on the GDP/SE Plat.
- Reaffirmation of the previously-approved modification of the loading space requirements, to allow three loading spaces instead of five loading spaces.
- Approval of Waiver 06194-WPFM-002-1, to allow the use of underground stormwater management in a residential development, subject to the waiver conditions dated October 22, 2007.

Supervisor Smyth seconded the motion and it carried by a vote of nine, Supervisor Hyland being out of the room.

61. **3:30 P.M. – PH ON SPECIAL EXCEPTION AMENDMENT APPLICATION SEA 92-L-005-2 (EXXON MOBIL CORPORATION) (LEE DISTRICT)** (3:40 p.m.)

The application property is located at 7312 Richmond Highway, Tax Map 92-4 ((1)) 78C and 78D.

Ms. Lynne J. Strobel reaffirmed the validity of the affidavit for the record.

Ms. Strobel had filed the necessary notices showing that at least 25 adjacent and/or interested parties had been notified of the date and hour of this public hearing and she proceeded to present her case.

Discussion ensued, with input from Ms. Strobel, regarding existing uses, an out-of-turn plan amendment, and the issue of having a car wash.

Further discussion ensued, with input from Catherine E. Lewis, Staff Coordinator, Zoning Evaluation Division, Department of Planning and Zoning, and Ms. Strobel, regarding the possibility of stacking room and the single bay area for the car wash.

Following the public hearing, Ms. Lewis presented the staff and Planning Commission recommendations.

Supervisor McKay moved:

- Approval of Special Exception Amendment Application SEA 92-L-005-02, subject to the development conditions dated January 7, 2008.
- Waiver of the service drive requirement along Richmond Highway.
- Modification of the transitional screening requirement along the western property boundary in favor of that depicted on the SEA Plat.
- Approval of the requested modification of the Richmond Highway streetscape guidelines in favor of that depicted on the SEA Plat.

Supervisor Bulova seconded the motion. Discussion ensued concerning the problems with the comprehensive plan amendment.

The question was called on the motion and it **CARRIED** by a recorded vote of seven, Supervisor Foust and Supervisor Smyth abstaining, Supervisor Hyland being out of the room.

62. **3:30 P.M. – PH ON A PROPOSAL TO VACATE, ABANDON, AND DISCONTINUE PORTIONS OF CENTREVILLE ROAD (ROUTE 657) (HUNTER MILL DISTRICT) (3:50 p.m.)**

(O) (R) A Certificate of Publication was filed from the editor of the *Washington Times* showing that notice of said public hearing was duly advertised in that newspaper in the issues of December 20 and 27, 2007.

Michael Davis, Senior Transportation Planner, Department of Transportation (DOT), presented the staff report.

Following the public hearing, which included testimony by one speaker, Supervisor Hudgins moved adoption of the following:

- Ordinance vacating portions of Centreville Road.
- Order abandoning portions of Centreville Road.
- Resolution discontinuing a portion of Centreville Road.

Supervisor Frey seconded the motion and it carried by a vote of nine, Supervisor Bulova, Supervisor Foust, Supervisor Frey, Supervisor Gross, Supervisor Herrity, Supervisor Hudgins, Supervisor McKay, Supervisor Smyth, and Chairman Connolly voting "AYE," Supervisor Hyland being out of the room.

DS:ds

63. **BOARD RECESS** (3:54 p.m.)

At 3:54 p.m., the Board recessed and, at 4 p.m., reconvened in the Board Auditorium with all Members being present, with the exception of Supervisor Frey, and with Chairman Connolly presiding.

64. **4 P.M. – PH ON SPECIAL EXCEPTION APPLICATION SE 2007-MA-016 (ANNANDALE PLAZA, LLC) (MASON DISTRICT)** (4 p.m.)

The application property is located at 7326 and 7328 Little River Turnpike, Tax Map 71-1 ((1)) 80.

Mr. Keith C. Martin reaffirmed the validity of the affidavit for the record.

Chairman Connolly disclosed the following campaign contribution which he had received in excess of \$100 from:

- Sack Harris and Martin PC

Mr. Martin had filed the necessary notices showing that at least 25 adjacent and/or interested parties had been notified of the date and hour of this public hearing and he proceeded to present his case.

Following the public hearing, William O'Donnell, Staff Coordinator, Zoning Evaluation Division, Department of Planning and Zoning, presented the staff and Planning Commission recommendations.

Supervisor Gross moved approval of Special Exception Application SE 2007-MA-016, subject to the development conditions dated contained in Appendix One of the staff report dated November 1, 2007. Supervisor Bulova seconded the motion and it carried by a vote of nine, Supervisor Frey being out of the room.

65. **4 P.M. – PH ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, APPENDIX G, EXPANDING THE CHANTILLY RESIDENTIAL PERMIT PARKING DISTRICT (RPPD), DISTRICT 29 (SPRINGFIELD DISTRICT)** (4:04 p.m.)

- (O) A Certificate of Publication was filed from the editor of the *Washington Times* showing that notice of said public hearing was duly advertised in that newspaper in the issues of December 20 and December 27, 2007.

Hamid Majdi, Transportation Planner II, Department of Transportation, presented the staff report.

Following the public hearing, which included testimony by three speakers, Chairman Connolly announced that the record would remain open for written testimony.

Supervisor Herrity moved adoption of the proposed amendments to the Code of the County of Fairfax, Appendix G, expanding the Chantilly RPPD, District 29. The proposed district expansion includes Plaza Lane (Route 5412), from Poplar Tree Road (Route 4831) to Point Hollow Lane (Route 5413). Supervisor Hyland seconded the motion and it carried by unanimous vote, Supervisor Bulova, Supervisor Foust, Supervisor Frey, Supervisor Gross, Supervisor Herrity, Supervisor Hudgins, Supervisor Hyland, Supervisor McKay, Supervisor Smyth, and Chairman Connolly voting “AYE.”

66. **4 P.M. – PH ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, APPENDIX G, EXPANDING THE OAKTON RESIDENTIAL PERMIT PARKING DISTRICT (RPPD), DISTRICT 19 (PROVIDENCE DISTRICT)** (4:14 p.m.)

- (O) A Certificate of Publication was filed from the editor of the *Washington Times* showing that notice of said public hearing was duly advertised in that newspaper in the issues of December 20 and December 27, 2007.

Hamid Majdi, Transportation Planner II, Department of Transportation, presented the staff report.

Following the public hearing, which included testimony by one speaker, Supervisor Smyth moved adoption of the proposed amendments to the Code of the County of Fairfax, Appendix G, expanding the Oakton RPPD, District 19. The proposed district expansion includes Tipperary Pass (Route 5161), from Blake Lane (Route 655) to the end. Supervisor Bulova seconded the motion and it carried by unanimous vote, Supervisor Bulova, Supervisor Foust, Supervisor Frey, Supervisor Gross, Supervisor Herrity, Supervisor Hudgins, Supervisor Hyland, Supervisor McKay, Supervisor Smyth, and Chairman Connolly voting “AYE.”

67. **4 P.M. – PH ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, APPENDIX G, EXPANDING THE ANNANDALE RESIDENTIAL PERMIT PARKING DISTRICT (RPPD), DISTRICT 14 (BRADDOCK DISTRICT)** (4:17 p.m.)

- (O) A Certificate of Publication was filed from the editor of the *Washington Times* showing that notice of said public hearing was duly advertised in that newspaper in the issues of December 20 and December 27, 2007.

Hamid Majdi, Transportation Planner II, Department of Transportation, presented the staff report.

Following the public hearing, which included testimony by one speaker, Supervisor Bulova moved adoption of the proposed amendments to the Code of the County of Fairfax, Appendix G, expanding the Annandale RPPD, District 14. The proposed district expansion includes the following:

- Heritage Drive (Route 2630), from Killebrew Drive (Route 2797) to Erie Street (Route 2629).
- Maris Court (Route 3623), from Heritage Drive to the end.

Supervisor Foust seconded the motion.

Following a brief discussion regarding the expansion, the question was called on the motion and it carried by unanimous vote, Supervisor Bulova, Supervisor Foust, Supervisor Frey, Supervisor Gross, Supervisor Herrity, Supervisor Hudgins, Supervisor Hyland, Supervisor McKay, Supervisor Smyth, and Chairman Connolly voting “AYE.”

68. **4 P.M. – PH ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, APPENDIX M, ESTABLISHING THE RUNNYMEADE COMMUNITY PARKING DISTRICT (CPD) (LEE DISTRICT)** (4:23 p.m.)

- (O) A Certificate of Publication was filed from the editor of the *Washington Times* showing that notice of said public hearing was duly advertised in that newspaper in the issues of December 20 and December 27, 2007.

Maria Turner, Transportation Planner II, Department of Transportation, presented the staff report.

Following the public hearing, Supervisor McKay submitted items for the record.

Supervisor McKay moved adoption of the proposed amendments to the Code of the County of Fairfax, Appendix M, expanding the Runnymede CPD, in accordance with current CPD restrictions. The proposed district includes High

Meadow Road (Route 8111), from Crown Royal Drive to cul-de-sac inclusive. Supervisor Bulova seconded the motion and it carried by unanimous vote, Supervisor Bulova, Supervisor Foust, Supervisor Frey, Supervisor Gross, Supervisor Herrity, Supervisor Hudgins, Supervisor Hyland, Supervisor McKay, Supervisor Smyth, and Chairman Connolly voting "AYE."

69. **4:30 P.M. – PH ON SPECIAL EXCEPTION APPLICATION SE 2007-MA-019 (MOTIVA ENTERPRISES, LLC) (MASON DISTRICT)**  
(No Time)

(NOTE: Later in the meeting, this public hearing was held. See Clerk's Summary Item #71.)

70. **4:30 P.M. – PH ON SPECIAL EXCEPTION AMENDMENT APPLICATION SEA 76-C-152-04 (EXXON MOBIL CORPORATION) (HUNTER MILL DISTRICT)** (4:30 p.m.)

The application property is located at 1818 Wiehle Avenue, Tax Map 17-4 ((5)) 4.

Ms. Sara Mariska reaffirmed the validity of the affidavit for the record.

Ms. Mariska had filed the necessary notices showing that at least 25 adjacent and/or interested parties had been notified of the date and hour of this public hearing.

Following the public hearing, Supervisor Hudgins submitted an item for the record.

Discussion ensued with input from Ms. Mariska regarding the free air pump.

Jonathan Papp, Staff Coordinator, Zoning Evaluation Division, Department of Planning and Zoning, presented the staff and Planning Commission recommendations.

Supervisor Hudgins moved approval of Special Exception Amendment Application SEA 76-C-152-04, subject to the development conditions dated November 1, 2007. Supervisor Bulova seconded the motion and it carried by unanimous vote.

71. **4:30 P.M. – PH ON SPECIAL EXCEPTION APPLICATION SE 2007-MA-019 (MOTIVA ENTERPRISES, LLC) (MASON DISTRICT)**  
(4:33 p.m.)

The application property is located at 5533 Backlick Road, Tax Map 80-2 ((7)) Z1 and Z2.

Mr. John Manganello reaffirmed the validity of the affidavit for the record.

Mr. Manganello had filed the necessary notices showing that at least 25 adjacent and/or interested parties had been notified of the date and hour of this public hearing and he proceeded to present his case.

Following the public hearing, William O'Donnell, Staff Coordinator, Zoning Evaluation Division, Department of Planning and Zoning, presented the staff and Planning Commission recommendations.

Supervisor Gross moved:

- Approval of Special Exception Application SE 2007-MA-019, subject to the development conditions dated October 14, 2007.
- Direction to the Director of the Department of Public Works and Environmental Services to waive the requirement for construction of the trail in favor of the right-of-way dedication, subject to the proposed development conditions, as amended.

Supervisor Bulova seconded the motion and it carried by a vote of eight, Supervisor Frey and Supervisor McKay being out of the room.

72. **4:30 P.M. – PH ON SPECIAL EXCEPTION APPLICATION SE 2007-MV-017 (NESTLE WATERS NORTH AMERICA INCORPORATED, FORMERLY KNOWN AS GREAT SPRING WATERS OF AMERICA INCORPORATED) (MOUNT VERNON DISTRICT)**  
(4:39 p.m.)

The application property is located at 7225 Telegraph Square Drive, Tax Map 108-1 ((10)) 7225A and B.

Mr. Henry Edquist reaffirmed the validity of the affidavit for the record.

Cathy Lewis, Senior Staff Coordinator, Zoning Evaluation Division, Department of Planning and Zoning, gave a brief description of the application and site location.

Mr. Edquist had filed the necessary notices showing that at least 25 adjacent and/or interested parties had been notified of the date and hour of this public hearing and he proceeded to present his case.

Following the public hearing, Supervisor Hyland submitted an item for the record.

Supervisor Hyland moved to waive the reading of the staff and Planning Commission recommendations. Supervisor Bulova seconded the motion and it carried by a vote of nine, Supervisor Frey being out of the room.

Supervisor Hyland moved approval of Special Exception Application SE 2007-MV-017, subject to the development conditions contained in Appendix One of the staff report dated October 31, 2007. Supervisor Bulova seconded the motion and it carried by a vote of nine, Supervisor Frey being out of the room.

73. **4:30 P.M. – PH ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, APPENDIX M, EXPANDING THE HILLSIDE COMMUNITY PARKING DISTRICT (CPD) (SPRINGFIELD DISTRICT)**  
(4:42 p.m.)

- (O) A Certificate of Publication was filed from the editor of the *Washington Times* showing that notice of said public hearing was duly advertised in that newspaper in the issues of December 20 and December 27, 2007.

Maria Turner, Transportation Planner II, Department of Transportation, presented the staff report.

Following the public hearing, which included testimony by four speakers, Supervisor Herrity moved adoption of the proposed amendments to the Code of the County of Fairfax, Appendix M, expanding the Hillside CPD, in accordance with current CPD restrictions. The proposed district expansion includes Hillside Road (Route 1031), from Selwood Place to the southern boundary of parcel 78-4 ((17)) J. Supervisor Bulova seconded the motion and it carried by a vote of nine, Supervisor Bulova, Supervisor Foust, Supervisor Frey, Supervisor Gross, Supervisor Herrity, Supervisor Hudgins, Supervisor McKay, Supervisor Smyth, and Chairman Connolly voting “AYE,” Supervisor Hyland being out of the room.

Discussion ensued regarding residential permit parking district restrictions and the policy which was adopted by Prince William County.

Supervisor Bulova asked unanimous consent that the Board direct staff to provide for consideration information regarding how the State Code, as it pertains to residential parking districts, is being applied throughout Virginia. Without objection, it was so ordered.

Supervisor Hudgins noted that she and Supervisor Hyland asked for the same information.

Discussion ensued, with input from Ms. Turner, who noted that information has been provided to Supervisor Hudgins, and staff is scheduled to meet with Supervisor Hyland to discuss the issue.

74. **4:30 P.M. – PH TO OBTAIN CITIZEN INPUT FOR THE DEPARTMENT OF COMMUNITY AND RECREATION SERVICES’ (CRS) GRANT APPLICATION TO THE COMMONWEALTH OF VIRGINIA FOR FUNDING UNDER THE FEDERAL TRANSIT ADMINISTRATION (FTA) SECTION 5310 PROGRAM FOR THREE REPLACEMENT VEHICLES**  
(4:56 p.m.)

A Certificate of Publication was filed from the editor of the *Washington Times* showing that notice of said public hearing was duly advertised in that newspaper in the issues of December 20 and December 27, 2007.

Michael Artson, Planning Chief, FASTRAN, presented the staff report.

Following the public hearing, discussion ensued with input from Mr. Artson, regarding the replacement vehicles.

Supervisor Hudgins moved that the Board authorize CRS to apply for FTA section 5310 grant funds in the amount of \$156,000 and accept funding, if received, from the Virginia Department of Rail and Public Transportation. Supervisor Gross seconded the motion and it carried by a vote of eight, Supervisor Herrity and Supervisor Hyland being out of the room.

75. **5 P.M. – PH ON PLANNED RESIDENTIAL COMMUNITY APPLICATION PRC B-846 (JBG/RIC RETAIL LLC, JBG/RIC LLC) (HUNTER MILL DISTRICT)** (5:01 p.m.)

The application property is located at 11800 Sunrise Valley Drive, Tax Map 17-3 ((3)) 1C and 1D.

Benjamin Tompkins, Reed Smith LLP, gave a presentation on behalf of the applicant.

Discussion ensued, with input from Mr. Tompkins, regarding density levels, whether a traffic analysis has been performed, impervious surfaces, and LEED certification.

Supervisor Hudgins called the Board’s attention to the memorandum from staff dated January 7, 2008, regarding the revised development conditions and the PRC Plan notes and noted the following:

- With reference to Item 33J of the PRC Plan note, she confirmed with Mr. Tompkins that the words **“from adjacent developments”** should be deleted.
- With reference to Development Conditions 8, she noted the limitation of the cellar space.

- Development Condition 9 has been deleted.

Following the public hearing, which included testimony by four speakers, John Thompson, Staff Coordinator, Zoning Evaluation Division, Department of Planning and Zoning, presented the staff and Planning Commission recommendations.

Supervisor Hudgins moved to defer decision on Planned Residential Community Application PRC B-846 until **January 28, 2008, at 3 p.m.** Supervisor Bulova seconded the motion and it carried by a vote of eight, Supervisor Herrity and Supervisor Hyland being out of the room.

76. **5 P.M. – PH ON SPECIAL EXCEPTION APPLICATION SE 2007-SU-007 (COMMERCE BANK, N.A.) (SULLY DISTRICT)** (5:31 p.m.)

Supervisor Frey moved to defer the public hearing on Special Exception Application SE 2007-SU-007 until **February 11, 2008, at 3:30 p.m.** Supervisor Bulova seconded the motion and it carried by a vote of nine, Supervisor Hyland being out of the room.

77. **5 P.M. – PH ON PROFFERED CONDITION AMENDMENT APPLICATION PCA 2003-HM-046-02 (WOODLAND PARK CROSSING RETAIL, LLC) (HUNTER MILL DISTRICT)** (5:32 p.m.)

The application property is located in the northwest quadrant of the intersection of Sunrise Valley Drive and Woodland Pointe Avenue, Tax Map 16-4 ((23)) C.

Ms. Elizabeth D. Baker reaffirmed the validity of the affidavit for the record.

Supervisor Foust disclosed the following campaign contribution which he had received in excess of \$100 from:

- Mr. Grant M. Ehat of Woodland Park Crossing Retail, LLC

Ms. Baker had filed the necessary notices showing that at least 25 adjacent and/or interested parties had been notified of the date and hour of this public hearing and she proceeded to present her case.

Following the public hearing, Stephen Varga, Planner II, Zoning Evaluation Division, Department of Planning and Zoning, presented the staff and Planning Commission recommendations.

Supervisor Hudgins submitted items for the record.

Supervisor Hudgins moved approval of Proffered Condition Amendment Application PCA 2003-HM-046-02, subject to the proffers dated November 9,

2007. Supervisor Smyth seconded the motion and it carried by a vote of nine, Supervisor Hyland being out of the room.

78. **5 P.M. – PH ON SPECIAL EXCEPTION AMENDMENT APPLICATION SEA 2002-PR-031 (THE MITRE CORPORATION) (PROVIDENCE DISTRICT)** (5:37 p.m.)

The application property is located at 7515 and 7525 Colshire Drive, Tax Map 30-3 ((28)) 3A1 and 4A3.

Mr. Ben Wales reaffirmed the validity of the affidavit for the record.

Mr. Wales had filed the necessary notices showing that at least 25 adjacent and/or interested parties had been notified of the date and hour of this public hearing and he proceeded to present his case.

Following the public hearing, Suzanne Lin, Staff Coordinator, Zoning Evaluation Division, Department of Planning and Zoning, presented the staff and Planning Commission recommendations.

Supervisor Smyth moved approval of Special Exception Amendment Application SEA 2002-PR-031, subject to the development conditions dated November 27, 2007. Supervisor Frey seconded the motion.

Following discussion, with input from Ms. Lin, regarding the distance that the property is away from the road, the question was called on the motion and it carried by a vote of nine, Supervisor Hyland being out of the room.

79. **BOARD ADJOURNMENT** (5:42 p.m.)

The Board adjourned.

# Index

<b>AGENDA ITEM</b>	<b>Page</b>
<b>Presentations: Certificates/Awards</b> .....	<b>2-3, 19</b>
<b>Appointments of Board Members to Various Regional and Internal Boards and Committees</b> .....	<b>3-9</b>
<b>Items Presented by the County Executive</b>	
<b>Administrative Items</b> .....	<b>10-13</b>
<b>Action Items</b> .....	<b>13-14, 19-20</b>
<b>Information Items</b> .....	<b>14</b>
<b>Board Matters</b>	
<b>Chairman Connolly</b> .....	<b>15-18</b>
<b>Supervisor Bulova</b> .....	<b>30</b>
<b>Supervisor Foust</b> .....	<b>n/a</b>
<b>Supervisor Frey</b> .....	<b>25-26</b>
<b>Supervisor Gross</b> .....	<b>24-25</b>
<b>Supervisor Herrity</b> .....	<b>23-24</b>
<b>Supervisor Hudgins</b> .....	<b>27-28</b>
<b>Supervisor Hyland</b> .....	<b>20-21</b>
<b>Supervisor McKay</b> .....	<b>22</b>
<b>Supervisor Smyth</b> .....	<b>28-29</b>
<b>Actions from Closed Session</b> .....	<b>36-37</b>
<b>Public Hearings</b> .....	<b>37-53</b>